

REMARKS

This Amendment is submitted in response to the Examiner's Action mailed February 18, 2004, with a shortened statutory period of three months set to expire May 18, 2004. Claims 1-5, 7-10, 12-15, and 17-18 are pending. With this amendment, claims 1-5, 7, 10, 12-15, and 17-18 have been amended.

Applicants' claims have been amended to describe a single thumbwheel device that is included within a surface of the input pointing device. The thumbwheel device is rotateable about an axis of rotation. The axis of rotation is parallel to the surface of the input pointing device. The thumbwheel device can be depressed in a direction that is perpendicular to the surface. The thumbwheel device is capable of being rolled by a user's thumb either forward or backward about the axis. One example of support for these amendments can be found in Applicants' Figures 4 and 5 and the accompanying descriptions.

The Examiner rejected claims 1-4, 7-10, 12-14, and 17 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,686,911 issued to *Levin*. This rejection, as it might be applied to the claims as amended, is respectfully traversed.

Levin describes a knob that can be provided on a mouse. *Levin* describes the knob being capable of being rotated about a rotational axis. This rotational axis is perpendicular to the surface of the device on which the knob is attached. The knob can be depressed in a direction that is parallel to that axis. Thus, the knob can be depressed in a direction that is perpendicular to the surface.

Applicants' claims describe the thumbwheel being rotateable about an axis of rotation. This axis is parallel to the surface of the input device that includes the thumbwheel. The thumbwheel can be depressed in a direction that is perpendicular to the surface. Thus, the axis of rotation described by Applicants' claims is parallel to the surface of the input device while the axis of rotation described by *Levin* is perpendicular to the surface on which the knob is attached.

The thumbwheel claimed by Applicants is capable of being rolled by a user's thumb either forward or backward about the axis of rotation. According to dependent claims, the thumbwheel is capable of being moved by a user's thumb only by being

depressed, being rolled forward or backward, or by being rolled either forward or backward while simultaneously being depressed. *Levin* describes a knob that is capable of transverse movement, for example. *Levin* does not describe a knob that is capable of being moved by a user's thumb only by being depressed, being rolled forward or backward, or by being rolled either forward or backward while simultaneously being depressed.

Levin does not describe, teach, or suggest Applicants' claims. *Levin* does not describe, teach, or suggest a thumbwheel as claimed by Applicants that is rotateable about an axis of rotation that is parallel to the surface of the input device. The knob of *Levin* could not be used in a manner as claimed by Applicants because the knob is rotated about an axis that is perpendicular to the surface of the device on which the knob is attached. In addition, *Levin* does not describe, teach, or suggest a thumbwheel that is capable of being moved by a user's thumb only by being depressed, being rolled forward or backward, or by being rolled either forward or backward while simultaneously being depressed.

The Examiner rejected claim 10 under section 103 as being unpatentable stating that *Levin* does not teach toggling a mute in response to the audio wheel being depressed twice. Therefore, according to the Examiner's statement, claim 10 is not anticipated by *Levin*.

The Examiner rejected claims 5, 10, 15, and 18 under 35 U.S.C. § 103(a) as being unpatentable over *Levin* in view of JP409162768 issued to *Nakazato*. This rejection, as it might be applied to the claims as amended, is respectfully traversed.

These claims describe toggling a mute of the audio output in response to the thumbwheel device being depressed twice in quick succession. *Nakazato* describes monitoring the number of times of depression of a push button.

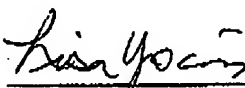
Neither *Levin* nor *Nakazato* describes, teaches, or suggests a single thumbwheel that is included on a side surface of a mouse, where the thumbwheel is rotateable about an axis of rotation, where the axis of rotation is parallel to the side surface of the mouse, and where the thumbwheel is capable of being depressed in a direction that is perpendicular to the surface and perpendicular to the axis. Therefore, the combination of *Levin* and *Nakazato* does not describe, teach, or suggest the combination of a single

thumbwheel that is included on a side surface of a mouse, where the thumbwheel is rotateable about an axis of rotation, where the axis of rotation is parallel to the side surface of the mouse, and where the thumbwheel is capable of being depressed in a direction that is perpendicular to the surface and perpendicular to the axis, and where the thumbwheel is capable of increasing a volume, decreasing the volume, toggling a mute of the volume, fast forwarding through a current audio selection, and rewinding through the current audio selection.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,



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